

REMARKS

Claims 1-18, 20-70 and 72-202 remain pending in this application. Claims 19 and 71 have been canceled.

The Examiner has acknowledged that claims 1-17, 32-70, 73-92, 102-133, 149-157, 168-185 and 187-202 are directed to allowable subject matter.

As to claims 93-98, 134, 141-146, 158-160, 163 and 164, a Terminal Disclaimer is being filed with this Amendment. Therefore, the rejection of claims 93-98, 134, 141-146, 158-160, 163 and 164 will be overcome as will the objection to claims 99-101, 135-140, 147, 148, 161, 162 and 165-167. The amendments to claims 134 and 187 merely correct clerical errors and therefore do not narrow the scope of the claims. Claims 194, 197, and 202 have been amended to correct a typographical error and to depend from claim 73 rather than claim 93.

Claim 18 has been amended to depend from allowable claim 3. Thus, the rejection of claim 18 is moot, and the merits of the rejection are not addressed. Further, the rejection of claims 20, 22-24, 27, and 28 and the objections to claims 21, 25, 26 and 29-31 should be withdrawn because those claims depend from amended claim 18. The amendment to claim 20 is merely due to the cancellation of claim 19.

Claim 72 has been amended to improve its grammar, but the amendment does not narrow the scope of the claim. Claim 72 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamoto in view of Maruyama. In view of the following remarks, applicants respectfully traverse the rejection of claim 72.

Claim 72 recites, in combination with other elements, an objective lens having a ring-shaped diffractive structure on "the second surface" thereof. In contrast, Maruyama does not

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describes at col. 4, lines 50-53 and illustrates in Fig. 1A, that the lens has a diffractive structure on a first surface, not the second surface. Thus, even if a person of ordinary skill in the art would have been motivated to combine Yamamoto and Maruyama, the invention of claim 72 would not have been achieved. Therefore, claim 72 would not have been obvious in view of the combination of Yamamoto and Maruyama, and the rejection should be withdrawn.

The amendment to claim 186 corrects a clerical error and does not narrow the scope of the claim. Claim 186 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura in view of Kim, Maruyama, and Komma. In view of the following remarks, applicants respectfully traverse the rejection of claim 186.

Claim 186 recites, in combination with other elements, a second driving apparatus displacing at least one lens group constituting the coupling lens in the optical axis direction. In contrast, Kawamura, Maruyama, Komma, and Kim do not disclose such a second driving apparatus.

The Examiner stated, on page 5, line 1-4 of the Office Action, that Komma et al. discloses a second drive apparatus for driving at least one lens group of the coupling lens in the optical axis direction and cited col 7, lines 50-55. However, according to Komma at col 7, lines 50-55, because the chromatic aberration correction lens 34 is heavy and because the objective lens 32 is slightly moved at high speed, the lens 34 cannot be integrally formed with the objective lens 32. Such disclosure teaches away from moving the chromatic aberration correction lens 34 and does not suggest that the second driving apparatus displaces at least one lens group constituting a coupling lens in the optical axis direction. Instead, only the objective lens 32 moves.

Further, the Examiner stated on line 18-22, page 5 of the Office Action that Kim et al. discloses a coupling lens --- (fig. 3, 400) wherein the second driving apparatus displaces at least one lens group constituting the coupling lens in the optical axis direction--- (col 2, line 53-60). However, Fig. 3 of Kim discloses that the objective lens 200, not the collimating lens 400, is moved in the optical axis direction and does not disclose a second driving apparatus displacing at least one lens group constituting the coupling lens in the optical axis direction. Further, at col 2, lines 53-60, Kim discloses a prior art optical pickup shown in Fig. 1. However, Fig. 1 of Kim discloses that the objective lens 2, not the coupling lens, is moved in the optical axis direction and does not disclose a second driving apparatus displacing at least one lens group constituting the coupling lens in the optical axis direction.

Therefore, Komma and Kim do not describe or suggest a second driving apparatus displacing at least one lens group constituting the coupling lens in the optical axis direction. Thus, even if the cited references could be combined, the optical pickup apparatus of claim 186 would not have been obvious to one of ordinary skill in the art.

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims.

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